



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, DC 20230

APR 24 2019

Austin Evers
American Oversight
1030 15th Street N.W., Suite B255
Washington, D.C. 20005

RE: DOC-ITA-2019-000883

foia@americanoversight.com

Dear Mr. Evers:

This letter is in response to your Freedom of Information Act (FOIA) request received by the International Trade Administration (ITA) on March 8, 2019. In your request, you sought:

All records reflecting communications (including email messages, email attachments, calendar invitations or entries) with any of the following individuals or organizations:

- a. Derek Harvey, including but not limited to the email addresses
derek.j.harvey@nsc.eop.gov and derek.harvey@mail.house.gov
- b. K.T. McFarland, including but not limited to the email address
k.t.mcfarland@nsc.eop.gov
- c. Michael Flynn, including but not limited to the email address
Michael.t.flynn@nsc.eop.gov

American Oversight requests that ITA search the files of the following custodians for records responsive to this request:

- i. Under Secretary for International Trade Gilbert Kaplan and anyone corresponding
on his behalf such as executive assistants or schedulers;
- ii. Acting Deputy Under Secretary for International Trade Sarah Kemp;
- iii. Chief of Staff John Cooney; and

iv. Anyone serving in the role of Deputy Chief of Staff, including anyone serving in this role in an acting capacity.

Please provide all responsive records from January 20, 2017, through the date the search is conducted.

ITA began its search March 14, 2019, which is the cut-off date for responsive records. After a thorough search, ITA has found no records responsive to your request. ITA has no obligation to create, compile, or obtain from outside of ITA a record to satisfy a request. 15 C.F.R. § 4.3(b).

If you have any questions or concerns or would like to discuss any aspect of your request, you may contact the analyst who processed your request, Mayank Bishnoi, at 202-482-5413 or mayank.bishnoi@trade.gov.

You may also contact ITA's FOIA Public Liaison, using the following information:

Victor E. Powers
Acting FOIA Officer
International Trade Administration
1401 Constitution Avenue, N.W., Room 40003
Washington, D.C. 20230
(202) 482-5436, foia@trade.gov

Please refer to your FOIA request tracking number, DOC-ITA-2019-000883 when contacting ITA.

In addition, you may seek FOIA mediation services offered by the National Archives and Records Administration, Office of Government Information Services (OGIS). You may contact OGIS using the following information:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
(202) 741-5770 or toll free, 1-877-684-6448
facsimile: (202) 741-5769; email: ogis@nara.gov

In accordance with 15 C.F.R. §§ 4.10(a) and (b), you have the right to appeal this determination within 90 calendar days from the date of this letter. The Department deems appeals arriving after normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday) as received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely. The appeal should include a copy of the original

request, this response, and a statement of the reasons why you consider the Department made this determination in error. Please mail written appeals to:

Assistant General Counsel for Litigation, Employment, and
Oversight
U.S. Department of Commerce
1401 Constitution Avenue, N.W. Room 5896
Washington, D.C. 20230

You may send an appeal by e-mail to FOIAAppeals@doc.gov, or through FOIAonline at <https://www.foiaonline.gov/foiaonline/action/public/home> if you have a FOIAonline account. Clearly mark "Freedom of Information Act Appeal", in the e-mail subject line, or on both the appeal letter and envelope.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor E. Powers", written over a circular stamp or seal.

Victor E. Powers
Director
Management Operations
Office of the Chief Financial and
Administrative Officer

It is the policy of the United States to support the people of the Republic of China in their efforts to achieve a united and peaceful China.

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